

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:05CR460
)	
Plaintiff,)	Judge Peter C. Economus
)	
vs.)	
)	
JEROME MELTON,)	<u>ORDER</u>
)	
Defendant.)	

On May 10, 2006, the Defendant was sentenced to thirty (30) months imprisonment, followed by three years of supervised release, for Conspiracy to Possess with Intent to Distribute and Distribution of Cocaine Base, a Class C felony, in violation of 21 U.S.C. § 841 (a)(1) and 846. Defendant's supervised release commenced on February 6, 2008.

On December 23, 2008, Defendant's probation officer submitted a violation report alleging a violation of supervised release for committing a new law violation listed below:

1. Failure to Complete 120 Days Residence at a Community Corrections Center - The offender entered Oriana House on December 8, 2008, and was negatively terminated on December 15, 2008.

On February 10, 2009, the Defendant appeared before a Magistrate Judge. The Magistrate Judge concluded that the defendant knowingly, voluntarily, and intelligently admitted the violations of supervised release, and the Magistrate Judge issued a Report and Recommendation recommending that this Court adopt that finding. No objections

were filed to the report.

On February 23, 2009, the Court held a hearing regarding the alleged violations. The Defendant was represented by Attorney Carolyn Kucharski. The United States was represented at the hearing by Assistant United States Attorney Linda Barr. At the hearing, the Court adopted the Magistrate's Report and Recommendation and found that the Defendant had violated the terms of his supervised release.

The Court has considered the statutory maximum sentence of two years pursuant to 18 U.S.C. § 3583(e)(3). The Court also has considered the advisory policy statements set forth in Chapter Seven of the United States Sentencing Guidelines prior to imposing sentence, and the advisory guideline range is 6-12 months pursuant to U.S.S.G. § 7B1.4(a). The Court further has considered the factors for sentencing listed in 18 U.S.C. § 3553(a) and 3583(d).

Based on this Court's review of all relevant factors, the Court hereby orders that Defendant's supervised release is **REVOKED**, and Defendant is committed to the custody of the Bureau of Prisons for twelve (12) months. No term of supervised release shall follow. In addition, the Court recommends the Defendant participate in psychological and substance abuse treatment while he is incarcerated.

IT IS SO ORDERED.

/s/ Peter C. Economus - February 23, 2009
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE